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SENATE BILL 959

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Gerald P. Ortiz y Pino

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING CONTINGENT PROCEDURES FOR ELECTING AND APPOINTING MEMBERS OF THE LOCAL SCHOOL BOARD FOR THE ALBUQUERQUE SCHOOL DISTRICT IF A CONSTITUTIONAL AMENDMENT PROVIDING FOR FOUR ELECTED MEMBERS AND THREE APPOINTED MEMBERS IS ADOPTED BY THE PEOPLE AND CONFIRMED BY THE VOTERS OF THE ALBUQUERQUE SCHOOL DISTRICT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is enacted to read:

"~~[NEW MATERIAL]~~ ALBUQUERQUE SCHOOL DISTRICT BOARD--ELECTED AND APPOINTED MEMBERS REQUIRED--ELECTION.--"

A. No later than July 1, 2011, the local school board for the Albuquerque school district shall, by resolution, divide the district into four single-member districts, which

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1 shall be compact, contiguous and as nearly equal in population  
2 as practicable.

3 B. Pursuant to the constitution of New Mexico, on  
4 and after March 1, 2013, the local school board for the  
5 Albuquerque school district shall consist of four members  
6 elected from single-member districts and three members  
7 appointed by the mayor of Albuquerque and confirmed by the city  
8 council.

9 C. The elected members shall be chosen by the  
10 qualified voters at the regular school district election in  
11 February 2013 and shall be elected from the districts  
12 established pursuant to Subsection A of this section. The  
13 provisions of the School Election Law and the Public School  
14 Code shall govern the election and the members elected except  
15 that, at the time of issuing the proclamation for the election,  
16 the local school board shall, by lot, select two districts from  
17 which the board members will be elected for two-year terms and  
18 two districts from which the board members will be elected for  
19 four-year terms; thereafter, elected board members shall serve  
20 terms of four years."

21 Section 2. A new section of the Public School Code is  
22 enacted to read:

23 "[NEW MATERIAL] ALBUQUERQUE SCHOOL DISTRICT BOARD--ELECTED  
24 AND APPOINTED MEMBERS REQUIRED--ELECTION.--

25 A. No later than July 1, 2013, the local school

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1 board for the Albuquerque school district shall, by resolution,  
2 divide the district into four single-member districts, which  
3 shall be compact, contiguous and as nearly equal in population  
4 as practicable.

5 B. Pursuant to the constitution of New Mexico, on  
6 and after March 1, 2015, the local school board for the  
7 Albuquerque school district shall consist of four members  
8 elected from single-member districts and three members  
9 appointed by the mayor of Albuquerque and confirmed by the city  
10 council.

11 C. The elected members shall be chosen by the  
12 qualified voters at the regular school district election in  
13 February 2015 and shall be elected from the districts  
14 established pursuant to Subsection A of this section. The  
15 provisions of the School Election Law and the Public School  
16 Code shall govern the election and the members elected except  
17 that, at the time of issuing the proclamation for the election,  
18 the local school board shall, by lot, select two districts from  
19 which the board members will be elected for two-year terms and  
20 two districts from which the board members will be elected for  
21 four-year terms; thereafter, elected board members shall serve  
22 terms of four years."

23 Section 3. A new section of the Public School Code is  
24 enacted to read:

25 "[NEW MATERIAL] ALBUQUERQUE SCHOOL DISTRICT BOARD--

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1 APPOINTED MEMBERS--METHOD OF APPOINTMENT--QUALIFICATIONS.--

2 A. The appointed members of the local school board  
3 for the Albuquerque school district shall be residents of the  
4 school district and shall be selected pursuant to the following  
5 procedure:

6 (1) the secretary shall appoint three  
7 residents of the school district to an advisory selection  
8 committee as follows:

9 (a) one member shall possess a master's  
10 degree in public school finance and have at least five years of  
11 experience as a classroom teacher;

12 (b) one member shall be a parent or  
13 guardian of a child who attends a school within the Albuquerque  
14 school district; and

15 (c) one member shall represent the  
16 Albuquerque business community and have at least fifteen years  
17 of experience with a for-profit business in the Albuquerque  
18 school district;

19 (2) for the initial appointees, the advisory  
20 selection committee shall submit fifteen residents of the  
21 Albuquerque school district as candidates to the mayor as  
22 follows:

23 (a) five candidates who have master's  
24 degrees in public school finance;

25 (b) five candidates who have classroom

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1 teaching experience or school administration experience; and

2 (c) five candidates who have experience  
3 in owning or managing a for-profit business in the Albuquerque  
4 school district; and

5 (3) the mayor shall appoint one member from  
6 each of the three groups of names submitted pursuant to  
7 Paragraph (2) of this subsection as the initial appointees,  
8 subject to confirmation by the city council; the members  
9 confirmed by the council shall serve on the local school board.

10 B. The members shall be appointed for terms of six  
11 years, except that in making the initial appointments, the  
12 mayor shall appoint one member for a term of two years, one  
13 member for a term of four years and one member for a term of  
14 six years.

15 C. Successor members and vacancies shall be  
16 appointed pursuant to the provisions of this section, except  
17 the advisory selection committee shall submit only five  
18 candidates, each having the same qualifications as the member  
19 whose term has expired or whose seat is vacant.

20 D. Appointed members shall be subject to all of the  
21 provisions of the Public School Code, except that an appointed  
22 member may be removed by the mayor only for cause."

23 Section 4. CONTINGENCIES.--

24 A. The provisions of Section 1 of this act are  
25 contingent upon:

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1 (1) the adoption by the people of the  
2 amendment to Article 12 of the constitution of New Mexico as  
3 proposed by Senate Joint Resolution 18 or a similar proposal of  
4 the first session of the forty-eighth legislature; and

5 (2) the adoption, at the 2010 general  
6 election, by the voters of the Albuquerque school district of  
7 the proposal to have four local school board members elected  
8 from single-member districts and three members appointed by the  
9 mayor of the city of Albuquerque and confirmed by the city  
10 council.

11 B. The provisions of Section 2 of this act are  
12 contingent upon:

13 (1) the adoption by the people of the  
14 amendment to Article 12 of the constitution of New Mexico as  
15 proposed by Senate Joint Resolution 18 or a similar proposal of  
16 the first session of the forty-eighth legislature; and

17 (2) the adoption, at the 2012 general  
18 election, by the voters of the Albuquerque school district of  
19 the proposal to have four local school board members elected  
20 from single-member districts and three members appointed by the  
21 mayor of the city of Albuquerque and confirmed by the city  
22 council.

23 C. The provisions of Section 3 of this act are  
24 contingent upon:

25 (1) the adoption by the people of the

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1 amendment to Article 12 of the constitution of New Mexico as  
2 proposed by Senate Joint Resolution 18 or a similar proposal of  
3 the first session of the forty-eighth legislature; and

4 (2) the adoption, at either the 2010 general  
5 election or the 2012 general election, by the voters of the  
6 Albuquerque school district of the proposal to have four local  
7 school board members elected from single-member districts and  
8 three members appointed by the mayor of the city of Albuquerque  
9 and confirmed by the city council.

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